

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 57th LEGISLATURE - REGULAR SESSION COMMITTEE ON AGRICULTURE

Call to Order: By **CHAIRMAN DONALD L. HEDGES**, on January 11, 2001
at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Donald L. Hedges, Chairman (R)
Rep. Linda Holden, Vice Chairman (R)
Rep. Ralph Lenhart, Vice Chairman (D)
Rep. Darrel Adams (R)
Rep. Norma Bixby (D)
Rep. Gilda Clancy (R)
Rep. Rick Dale (R)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Verdell Jackson (R)
Rep. Jim Keane (D)
Rep. Larry Lehman (R)
Rep. Holly Raser (D)
Rep. Clarice Schrupf (R)
Rep. Frank Smith (D)
Rep. Butch Waddill (R)
Rep. Karl Waitschies (R)
Rep. Merlin Wolery (R)

Members Excused: None.

Members Absent: Rep. Christopher Harris (D)

Staff Present: Krista Lee Evans, Legislative Branch
Robyn Lund, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 113, 1/11/2001
Executive Action: HB 113

HEARING ON HB 113

Sponsor: REPRESENTATIVE RONALD DEVLIN, HD 3, Prairie, Custer,
Rosebud

Proponents: Commissioner Phil Hill

Steve Pilcher, Mt. Assoc. of State Grazing Districts

Steve Schmitz, Dept. of Natural Resources and
Conservation

Bud Clinch, Dept. of Natural Resources and
Conservation

Opponents: None

Opening Statement by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 2.4}

Representative Ronald Devlin, HD 3, Prairie, Custer, Rosebud, and
Grazing District, submitted written testimony. **EXHIBIT** (agh08a01)

Proponents' Testimony:

{Tape : 1; Side : A; Approx. Time Counter : 4}

Bud Clinch, Department of Natural Resources and Conservation, stated that this bill is fairly simple and one of clean-up language. In the last 6 to 8 years there has been discussion in the grazing districts about the implementation of this body of law and of the appropriateness of services and responsibilities being attached to the DNRC. In the last legislative session action was taken in HB 444 to correct the way that this body of law is administered and to implement the Grass Conservation Commission. When responsibilities are transferred from one entity to the other it is important to go through and strike the references to the previously responsible agency and get it into the hands of the new entity. There are numerous references in HB 444 to the DNRC that need to be replaced by the Grass Conservation Commission. That is what this bill does.

Commissioner Phil Hill, Grass Conservation Commission, urges a do pass from the committee.

Steve Pilcher, Montana Stock Growers Association, Montana Association of State Grazing Districts, stated that the Montana Association of State Grazing Districts has been very active in ensuring that they have available to them the assistance and guidance that is necessary for them to carry out their responsibilities. The 1934 Taylor Grazing Act was designed to provide protection for Montana's acreage of resources. In 1939

grazing districts were established, along with the original GCC, also to provide protection. After several years these responsibilities were transferred to the DNRC. In the 1999 legislative session there was legislation passed to provide a study of the effectiveness of the arrangement that existed; recommendation was made for the re-establishment of the GCC and was accomplished through HB 444. This is working well, and changes made in HB 113 will increase the effectiveness of this.

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 11.5}

REPRESENTATIVE LINDA HOLDEN asked who the members of the Montana Grass Conservation Commission are. **Bud Clinch** listed the members of the commission as follows: Mr. Bill Loehding, Mr. Duwayne Ozark, Mr. Phil Hill, Mr. Gary Unruh, Ms. Sandra Brown. **REP. HOLDEN** asked how they are appointed. **Mr. Clinch** replied that they are appointed by the Governor.

REPRESENTATIVE DAVE GALLIK asked why the word grazing district was changed to state district. **Krista Lee Evans** replied that grazing district was not defined, whereas state district is defined in title 76, chapter 16, part 1.

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 14}

REP. DEVLIN stated that HB 113 is proposed as a clean-up legislation, in no way can it change the intent of HB 444. There has been an amendment proposed concerning changing the notification period from 14 days to 7 days prior to when the commission is going to meet. He recommends a do pass on HB 113.

{Tape : 1; Side : A; Approx. Time Counter : 15.1}

EXECUTIVE ACTION ON AMENDMENT to HB 113

Motion: **REPRESENTATIVE LARRY LEHMAN** moved for the adoption of the amendment.

DISCUSSION:

{Tape : 1; Side : A; Approx. Time Counter : 17.7}

REPRESENTATIVE JIM KEANE asked why they changed from 14 to 7 days. **Krista Lee Evans** replied that it had been requested, but that she did not know the reason for the request. **REP. HEDGES** replied that he would make the assumption that the commission may want to have a meeting in a shorter period of time than a 14 day period. 7 days would be sufficient to call the people together and to get the notices out and posted publicly. **Ms. Evans** explained that the amendment is not dealing with when they are noticing the public, but when they are noticing the other commissioners.

REP. GALLIK asked about the change from 14 days to 7 days and the effect of disseminating it to the public. **Ms. Evans** replied that she would assume that open meeting laws would require to notice the public and that 7 days would meet the open meeting requirement.

Vote: **REPRESENTATIVE KATHLEEN GALVIN-HALCRO** called for question on the amendment. **Motion carried Unanimously. 18-0**

EXECUTIVE ACTION ON HB 113

Motion: **REP. GALLIK** called for question on **HB 113. HB 113** carried unanimously. 18-0

ADJOURNMENT

Adjournment: 3:35 P.M.

REP. DONALD L. HEDGES, Chairman

ROBYN LUND, Secretary

DH/RL

EXHIBIT (agh08aad)